

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
August 3, 2003  
Tribal Court Room 7500 Odawa Circle  
9:30 a.m.

Executive Session: yes

Call to Order: Meeting was called to order at 9:35 a.m.

Council Present: Tribal Chairman Frank Ettawageshik, Vice-Chairperson Beatrice A. Law, Treasurer Alice Yellowbank, Councilor Regina Bentley, Councilor Fred Harrington, Jr., Secretary Dexter McNamara

Council Absent: Councilor Rita Shananaquet - excused

Staff Present: See Attached list

Guests: See attached list

---

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank to adopt the agenda as amended for August 3, 2003.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr., to post-pone approval of the minutes of July 27, 2003 as corrected.

Motion withdrawn

Motion made by Vice-Chairperson Beatrice A. Law and supported by Councilor Fred Harrington, Jr., to approve the minutes as amended for July 27, 2003.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank to accept the Tribal Administrator's verbal and written report for August 03, 2003.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairperson Beatrice A. Law to eliminate the proposed implementation of the Tribal Financial Management Plan portion of the Ingenus Contract and direct the Chief Financial Officer to assume the responsibility of helping Tribal Council complete the development of the Financial Management Plan.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank to direct the Tribal Administrator to distribute the draft of the Personnel Policies to staff for comments.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained  
Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairperson Beatrice A. Law to approve a budget increase of \$24,500 for the 2003 Trap Net Fishing Program to come from the General Fund.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained  
Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Councilor Fred Harrington, Jr. to approve implementation of the LTBB Employee Appreciation Day, August 27, 2003 and allocate \$2200 from the General Fund to support the activities of the Planning Committee. Additionally authorize the Government offices to close at 11:00 a.m. and to authorize 6 hours paid time off for all Government employees provided provisions are made that the Reception phones shall be covered and all medical and emergency services shall be made available.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained  
Motion carried

10:36 a.m. 5-minute recess called  
10:46 a.m. meeting reconvened

Motion made by Councilor Fred Harrington, Jr., and supported by Secretary Dexter McNamara to accept the Tribal Chairman's verbal and written report for August 3, 2003.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained  
Motion carried

Motion made by Secretary Dexter McNamara and supported by Vice-Chairperson Beatrice A. Law to authorize the Tribal Chairman to sign the proposal with Klas Robinson to provide objective market studies and analysis so as to convince the Department of Interior to approve the amendments to the Compact to support authorizing up to \$40,000 for the contract with Klas Robinson, to come from the General Fund.

Vote: 5 Yes, 1 No (Councilor Fred Harrington, Jr.), 1 Absent (Councilor Rita Shananaquet), 0 Abstained  
Motion carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Councilor Regina Bentley to eliminate the two original check request signers to replace them with the Tribal Administrator and Tina Sutton as the only authorized signers of check requests for the 2003 LTBB Pow Wow.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained  
Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairperson Beatrice A. Law to approve Enrollment List "A" Eligible for Membership dated July 22, 2003.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairperson Beatrice A. Law to approve Enrollment List "B" Declination Ineligible dated July 22, 2003

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank to approve Enrollment List "C" Ineligible Lack of Documentation dated July 22, 2003.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to fund the office of Chief Financial Officer with a budget of \$109,850 to be effective July 1, 2003. 25% to come from indirect and 75% to come from the General Fund for the balance of year 2003.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairperson Beatrice A. Law to authorize the Little Traverse Bay Bands of Odawa Indians Chief Financial Officer the authority to access the paper and electronic financial and related managerial information of all Tribally owned or operated enterprises and the authority to request said information from all Tribally owned or operated Enterprises and further to direct all Tribally owned or operated Enterprises to comply with said requests of the Little Traverse Bay Bands of Odawa Indians Chief Financial Officer.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to adopt Resolution #080303-01 Merrill Lynch Investment Account signer Authorization.

Roll call vote: Tribal Chairman Frank Ettawageshik-yes, Vice-Chairperson Beatrice A. Law-yes, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes, Councilor Rita Shananaquet-absent, Councilor Fred Harrington, Jr.-yes, Councilor Regina Bentley-yes

Motion carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to adopt Resolution #080303-02 National City Bank Investment Account Signer Authorization.

Roll call vote: Tribal Chairman Frank Ettawageshik-yes, Vice-Chairperson Beatrice A. Law-yes, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes, Councilor Rita Shananaquet-absent, Councilor Fred Harrington, Jr.-yes, Councilor Regina Bentley-yes  
Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Vice-Chairperson Beatrice A. Law to adopt the Comprehensive Business Codes parts 1, 2,3, and 4, effective August 3, 2003.

Roll call vote: Tribal Chairman Frank Ettawageshik-yes, Vice-Chairperson Beatrice A. Law-yes, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes, Councilor Rita Shananaquet-absent, Councilor Fred Harrington, Jr.-yes, Councilor Regina Bentley-yes  
Motion carried

11:45 a.m. Public Comment: John Kawegoma, Francie Loper, Alan Keshik, Deleta Smith

12:00 p.m. Public Comment closed

12:01 p.m. Lunch recess called until 1:30 p.m.

1:32 p.m. Meeting reconvened

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank to deny the request for surplus guns.

Vote: 1Yes, 6 No (Councilor Regina Bentley, Councilor Rita Shananaquet, Vice-Chairperson Beatrice A. Law, Tribal Chairman Frank Ettawageshik, Treasurer Alice Yellowbank, Secretary Dexter McNamara)

Motion failed

Motion made by Vice-Chairperson Beatrice A. Law and supported by Councilor Regina Bentley to have the Chairman sign the document for the Natural Resource Department in the request for surplus weapons from the Bureau of Indian Affairs.

Vote: 6 Yes, 1 No (Councilor Fred Harrington, Jr.) 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Treasurer Alice Yellowbank that Tribal Council convert the Tribal owned house on Lot 19 to a rental unit.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Vice-Chairperson Beatrice A. Law to post-pone the allocation of funding for item #4-E of the Heynig Road construction project until the next meeting.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Vice-Chairperson Beatrice A. Law to post-pone Health HIPAA policies until the August 17, 2003 meeting.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Rita Shananaquet to nominate Taimi Lynn Hoag for the Award for Environmental Stewardship that was established in her name.

Motion withdrawn

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairperson Beatrice A. Law to approve \$5,000 for the Mary Jo Wert business start up Small Grant application, to come from the Enterprise Fund, Small Grant line item.

Vote: 6 Yes, 1 No (Councilor Rita Shananaquet), 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Councilor Regina Bentley that we temporarily do not award future Small Grant applications until we have reviewed the current policy.

Vote: 2 Yes, 5 No (Councilor Fred Harrington, Jr., Vice-Chairperson Beatrice A. Law, Tribal Chairman Frank Ettawageshik, Treasurer Alice Yellowbank, Secretary Dexter McNamara), 0 Absent, 0 Abstained

Motion failed

2:58 p.m. recess called

3:11 p.m. meeting reconvened

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank to add the following "Indian Only Hiring Policy" to the Government Personnel Policies; All governmental departments and programs job openings shall be open only to Indian applicants. Non-Indians may be hired with approval of Tribal Council in cases where no qualified Indian applicants are available.

Vote: 4 Yes, 3 No (Councilor Rita Shananaquet, Vice-Chairperson Beatrice A. Law, Tribal Chairman Frank Ettawageshik), 0 Absent, 0 Abstained

Motion carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Councilor Rita Shananaquet to have Legal look into the legality of the previous motion on Tribal Preference made by Councilor Harrington and supported by Councilor Yellowbank.

Vote: 4 Yes, 3 No (Councilor Fred Harrington, Jr., Treasurer Alice Yellowbank, Secretary Dexter McNamara), 0 Absent, 0 Abstained

Motion carried

4:28 p.m. Motion made by Vice-Chairperson Beatrice A. Law and supported by Councilor Regina Bentley to go into closed session for land and personnel.

Vote: 6 Yes, 1 No (Councilor Fred Harrington, Jr.), 0 Absent, 0 Abstained

Motion carried

5:24 p.m. Motion made by Vice-Chairperson Beatrice A. Law and supported by Councilor Fred Harrington, Jr., to go out of closed session.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Councilor Regina Bentley to authorize the Tribal Chairman Frank Ettawageshik and Treasurer Alice Yellowbank to make an offer and to sign to purchase property identified as #2 in the amount of \$660,000 to come from the General Fund.

Vote: 6 Yes, 1 No (Councilor Rita Shananaquet), 0 Absent, 0 Abstained

Motion carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to request the Court to give an advisory opinion, to determine if Tribal Council has retained the authority to overturn an individual licensing decision by the Gaming Regulatory Commission.

Vote: 6 Yes, 1 No (Secretary Dexter McNamara), 0 Absent, 0 Abstained

5:38 p.m. Councilor Rita Shananaquet leaves

5:39 p.m. Motion made by Councilor Regina Bentley and supported by Councilor Fred Harrington, Jr., to adjourn.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

These Minutes have been read and approved as written:

Approved:

---

Dexter McNamara, Tribal Secretary

Date